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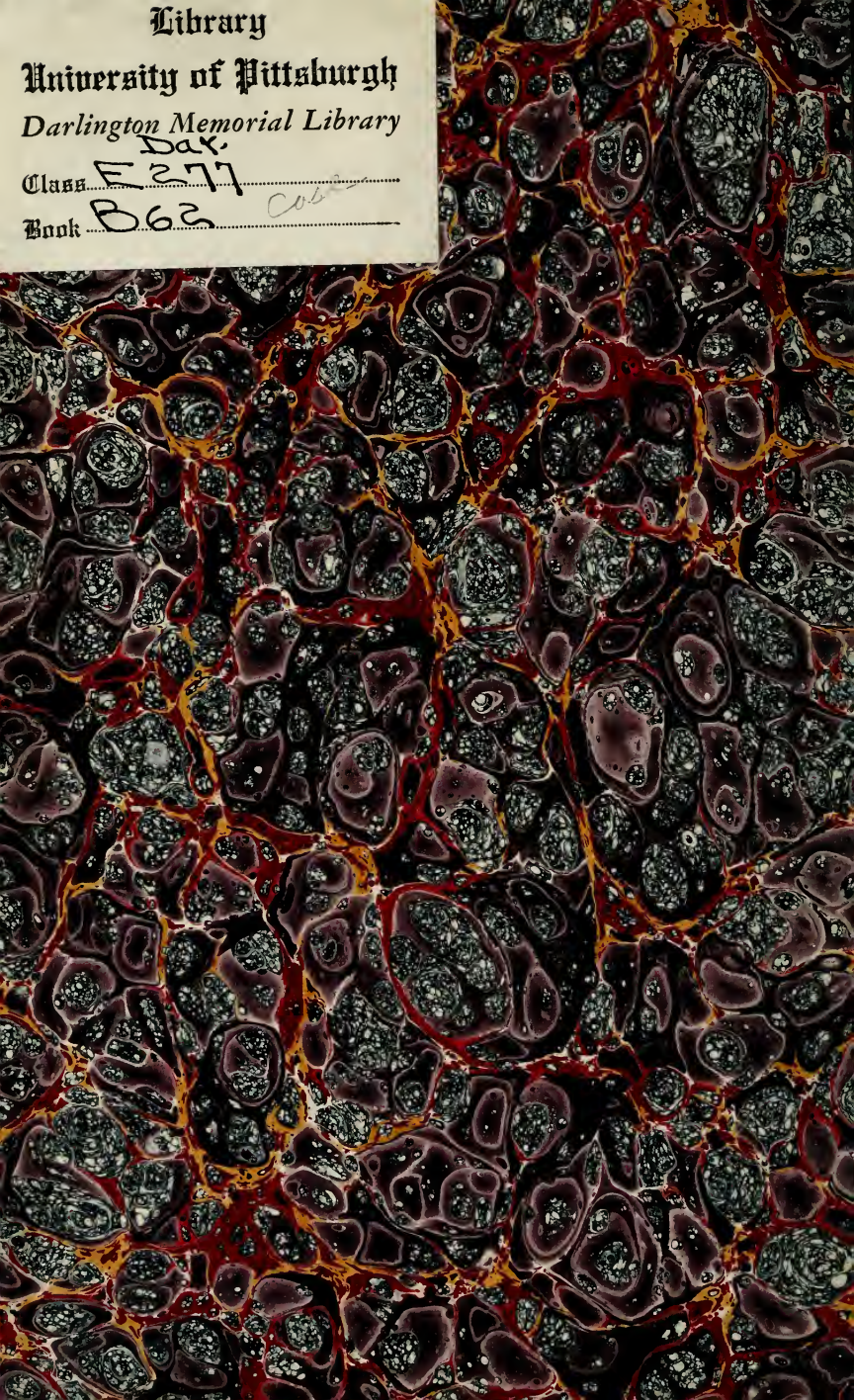
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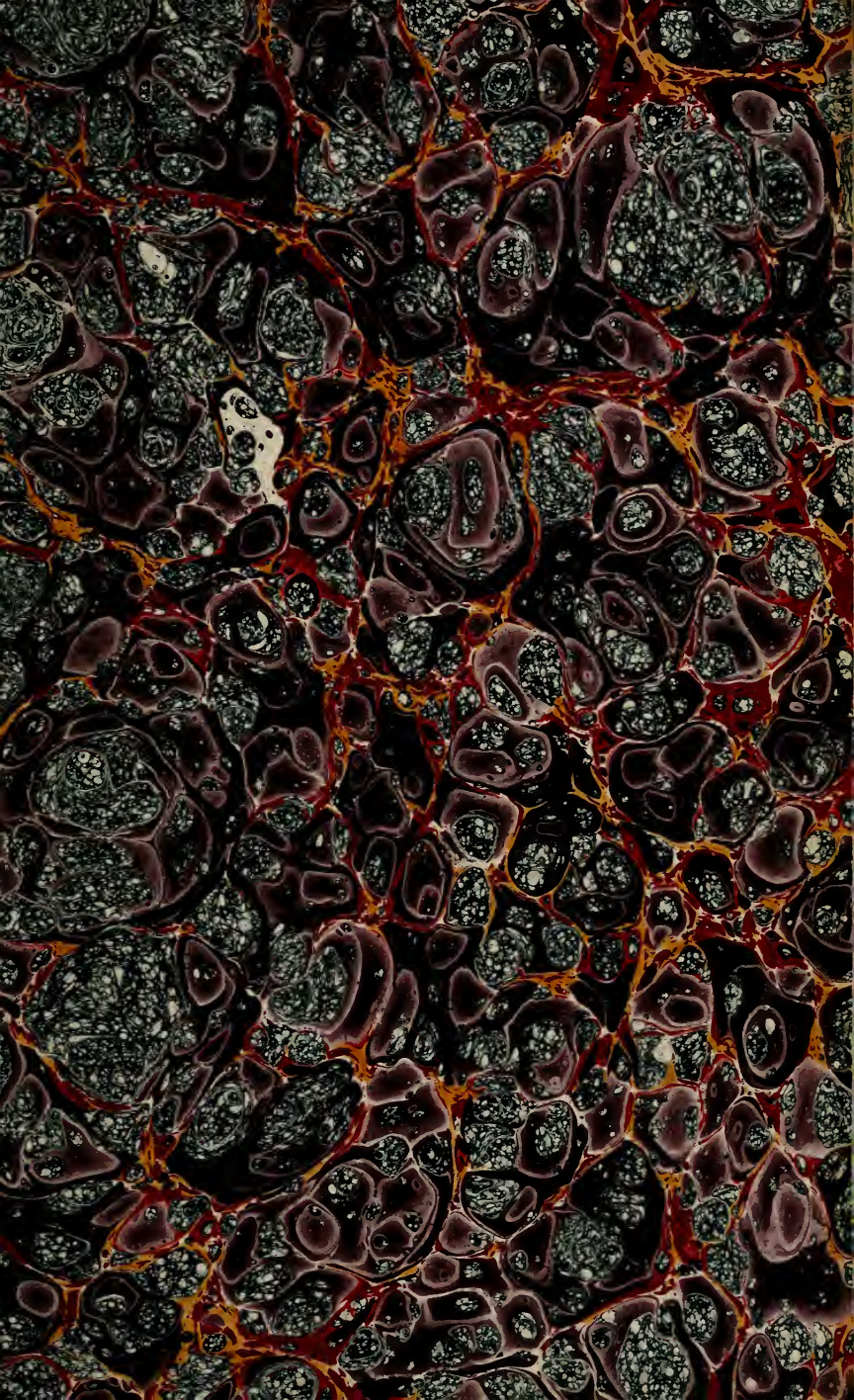
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BLACK LIST.

A LIST OF THOSE TORIES

WHO TOOK PART WITH GREAT-BRITAIN,

In the Revolutionary War,

AND WERE ATTAINTED OF

HIGH TREASON,

COMMONLY CALLED THE

BLACK LIST!

TO WHICH IS PREFIXED THE LEGAL OPINIONS OF

ATTORNEY GENERALS, Mc. KEAN & DALLAS,

&c.

PHILADELPHIA :

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1802.

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AN ALPHABETICAL LIST
OF ALL PERSONS
ATTAINED OF HIGH TREASON,
IN PURSUANCE OF THE TREASON LAWS
OF PENNSYLVANIA.

THE LEGAL QUALIFICATIONS
OF VOTERS.

See READ's digest, page 100, sect. I. See also
the act of February 15th. 1799. (Vol. 4th.
page 332.)

First, that he is a *natural born* citizen of this
state, or was settled therein on the twenty-eighth
day of September, one thousand seven hundred
and seventy-six ; or, having been a *foreigner*, who
since that time came to settle therein, he hath taken
an *oath* or *affirmation* of allegiance to the same, on
or before the twenty-sixth day of March, one
thousand seven hundred and ninety, agreeably to
the then existing constitution and laws ; or, *se-*

condly, that he is a *natural born* citizen of some other of the United States, or had been lawfully admitted or recognized as a citizen of some one of the said states, on or before the twenty-sixth day of March, one thousand seven hundred and ninety; or *thirdly*, that having been a *foreigner* or *alien*, he hath been naturalized conformably to the laws of the United States. That as evidence of his being naturalized agreeably to the laws of the United States, *he* shall produce a certificate thereof, under the seal of the court wherein such naturalization took place; that as evidence of his being a *natural born citizen* of this state, or resident therein, on the twenty-eighth day of September, one thousand seven hundred and seventy-six, or a *natural born* citizen of some other of the United States, if required by any Inspector or Judge of the election, *he* shall be examined on his *oath* or *affirmation*; that as evidence of his having taken an *oath* or *affirmation* of *allegiance* to this state, on or before the twenty-sixth day of March, one thousand seven hundred and ninety; or, of having been lawfully admitted, or recognized as a citizen of some other of the United States, on or before the said day, if required by an Inspector or Judge of the election, *he* shall produce a certificate in due form, from some Judge, Prothonotary, or Clerk of a court, Mayor, Alderman, Recorder or Justice of the Peace; or shall be examined on his *oath* or *affirmation*; and if by such certificate or examination as aforesaid, it shall appear that he is a citizen of this state, qualified to elect, agreeably to the provisions of this act, his vote shall be received by the Inspector of the Township, Ward or District, in which he resides.

*The Legal Opinion of Messrs. Dallas and
Mc. Kean, on the Duty of Inspectors of
Elections, and qualification of Voters.*

We are of opinion, that the officers of the Election have a right, and are in duty bound, to ascertain, by every legal test, the qualification of the Electors ; and that the vote of an Elector, who refuses to depose, or affirm, to his qualifications, upon a question, that does not tend to criminate himself may be, and ought to be rejected.

We are of opinion, any inhabitant of Pennsylvania, (whether a native or not,) who made his choice to the British cause at the commencement of the Revolution, thereby became a British subject, and that such choice might be manifested by joining the British forces, or taking an oath of allegiance to the king of Great Britain.

We are of opinion, that in order to ascertain, whether an Elector is a British subject, or an American citizen, upon the principle above stated, the officers of the Election may, and if they doubt, must ask him, whether during the Revolution, he joined the British forces, or took the oath of allegiance, to the king of Great-Britain, and at what period? Nor, can such a question tend, in our opinion, to criminate him.

We are of opinion, that no man who has been attainted during the American Revolution can be entitled to vote at an election, unless the attainder has been reversed, or a pardon has been granted, by the proper authority of the government.

A. J. DALLAS,

J. B. Mc. KEAN.

Philadelphia, October 12th. 1801.

QUESTION.

Are those persons who took the Oath or Affirmation of Allegiance, or joined and adhered to the king of Great-Britain, after the 4th. day of July 1776, and now resident in Pennsylvania, to be considered as Citizens of Pennsylvania, and entitled to elect or be elected members of Assembly, &c. ?

ANSWER.

Upon every change of government, by a majority of the citizens, either, by the formation of a new system of government, or the resolution of the citizens, to submit to a foreign power, or no longer to be subject to a monarch, those who are averse to the change or disapprove the system adopted by the majority, have a right to leave the society and settle elsewhere. The election to expatriate must however be made within a reasonable time, and once made the party cannot regain the rights of a citizen, without complying with the forms prescribed for the naturalization of foreigners, by the society which he has deserted. The election may be evinced, by the declaration of the party, by an act of the party, as by a departure and joining another state, by taking an oath of Allegiance to, or aiding, or assisting another state, at war with the state or society he has left; but those who continue to reside and exercise the rights and privileges of a citizen, after a reasonable time allowed for their departure, are considered as having made their election to submit, and owe allegiance, to the government in which they

reside, and cannot afterwards expatriate themselves, *flagrante bello*, by taking an Oath of Allegiance to or joining the enemy.

Previous to the Declaration of Independence we were in a state of civil war, then each individual had a right to choose his side, after that act we assumed the character of an independent nation, the majority of the people refusing longer to be subject to a monarchical government, 'till the formation and organization of the State governments, any individual was at liberty to make his election. The government of Pennsylvania may be considered as completely organized on the 11th February, 1777; when an act passed, declaring who should owe allegiance to Pennsylvania, and what should be treason. It may therefore be proper to subdivide the question and consider,

1. The situation of those who previous to the 11th February 1777, adhered to the King of Great-Britain.

2. The situation of those who, after that time, took the oath of allegiance, or joined the British and have been *attainted* of high treason.

3. Of those who after 11th February 1777, took the oath of allegiance to, or joined the British armies, and were *not attainted* of treason.

1. With respect to those who, previous to Feb. 11, '77, made their election, and adhered to the British, I conceive there can be no doubt, they became British subjects, and could not afterwards become citizens of Pennsylvania, but by complying with the forms, &c. prescribed in the acts for the naturalization of foreigners. This principle seems to be settled by case of the Commonwealth against Chapman, determined in the supreme Court of Pennsylvania, in April 1781.

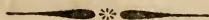
2. With regard to those who after Feb. '77, joined the British, and were *attainted* of treason, where the attainder has not been reversed or a pardon procured, they cannot be considered as restored to the rights of citizenship. The treaty of peace did not operate as a reversal of the attainder nor as a pardon, but only protects the persons from further prosecution or punishment.

3. As to the third class, who after the 11th Feb. '77, took the oath of allegiance to the King of Great-Britain, or joined the British armies, and were not *attainted* they cannot be considered as expatriated, tho' such acts might be deemed overt acts of treason, they must still be considered as citizens, and entitled to the rights of citizenship. 'Till attainder, their rights were not forfeited. The test laws have now no operation on the question, unless to shew the sense of the Legislature in support of the above principle. By the eleventh section of the act of 5th Dec. 1778, it is enacted that those who had taken the oath or affirmation of Allegiance to the state, and afterwards to the king of Great-Britain, should be incapable of election, &c. until they should take the oath therein prescribed by the act of 13th March, 1789, all the test laws were repealed, and the oath or affirmation of Allegiance, &c. rendered unnecessary. So that those who took an oath of Allegiance to the King of Great-Britain, joined his armies, or committed any other treasonable act, are not disfranchised unless attainted.

J. B. Mc. KEAN.

AN ALPHABETICAL LIST
OF ALL PERSONS ATTANTED OF
HIGH TREASON,

IN PURSUANCE OF THE TREASON LAWS OF THE
STATE OF PENNSYLVANIA.



Allen John, <i>died before the day limited for the surrender.</i>	Allen James, <i>surrendered and died.</i>
Allen Andrew,	Allen Isaac,
Allen William, junr.	Adams John,
Austin William,	Arthur Peter,
Armstrong Francis,	Apfden Matthias,
Armstrong William,	Arnold Benedict,
Airey John,	Anderfon Stephen,
Ashbridge Aaron, <i>dis-</i>	Adams Jonathan,
<i>charged by Sup. Court.</i>	Adams Sufanna,
Andrews William,	Anderfon William.
Biddle John,	Barton Thomas, do.
Bartram Alexander,	Bean Jesse, do.
Biles Samuel,	Buffington Jacob,
Bulla Thomas,	Bullock Isaac,
Braken James,	Burnet John, <i>surrendered</i>
Brooks Boyer, <i>surrender-</i>	<i>and discharged.</i>
<i>ed and discharged.</i>	Bell Samuel, do.
Badge Thomas,	Burk Isaac,
Bulla John,	Burns Thomas,
Bray John,	Bell William,
Bramhall Thomas,	Brown James,
Brown John, <i>surrendered</i>	Burd John,
<i>and discharged.</i>	Burr Hudson,
Buckingham John,	Burkett John,
Bolton Joseph, <i>tried and</i>	Burk John,
<i>acquitted.</i>	Burge David,
Butcher John,	Barrow Samuel,
Bryan Joel, <i>surrendered.</i>	Bartelt John,
Burns George,	Booth Benjamin,
Balderstone Mordecai,	Bond Phineas.

Brown William,	Brown George,
Burrows Samuel,	Boyer Jacob,
Boatman George,	Bare Abraham,
Brown Benjamin, carpenter, <i>surrendered and discharged.</i>	Buffington Joshua, <i>tried and acquitted.</i>
Briggs George, do.	Buffington Richard,
Carlisle Abraham,	Blackford Martin.
Clifton Alfred,	Canby Thomas,
Clifton William, <i>surrendered and discharged.</i>	Campbell Arthur,
Compton William, do.	Chapman Samuel, <i>tried and acquitted.</i>
Corry Robert, do.	Chapman Amos,
Christy William,	Chapman Abraham,
Carver Nathan,	Chapman David,
Cunrad Robert,	Clark Abraham, <i>surrendered and discharged.</i>
Coxe Daniel,	Chapter Jacob,
Chalmers James,	Caldwell William,
Couper Robert,	Clark William,
Chevalier John, <i>surrendered and discharged.</i>	Crickly Michael,
Club James,	Curlain William,
Cunningham John, <i>surrendered and discharged.</i>	Croghan George, <i>surrendered and discharged.</i> ✓
Curry Rofs,	Colston John,
Craig James, <i>surrendered and discharged.</i>	Comely Joseph,
Conner Michael,	Campbel John,
Coley Robert, junr.	Campbel William,
Cable John, <i>surrendered and discharged.</i>	Campbel Peter,
Canby Joseph,	Clark John,
Duche Jacob, junr.	Crochson Dennis, <i>Croghan</i> ✓
Deshong Peter, <i>tried and acquitted.</i>	Corker William,
Dawson David,	Corbet Alexander.
Deleplain James, <i>surrendered and discharged.</i>	De Normandie William,
	Davis William, <i>tried and acquitted.</i>
	Davis George,
	Dunn William,
	Dunn Malin,

Davis James,	do.	Dunn George, <i>surrendered and discharged.</i>
Davis Benjamin,		
Dove Robert, <i>surrendered and discharged.</i>		Dennis John,
Doan Joseph,		Delong James,
Dennis Henry,		Dolston Isaac,
Dennis John,		Dolston Matthew,
Doble Joseph,		Dolston Isaac, junr.
De Normandie Andrew,		Dunn George,
Evans Abel,		Effinger Henry, junr.
Eve Oswald,		Elliot Matthew, ✓
Evans Israel,		Evans William,
Evans William,		Evans John,
Evans Joel,		Elliott Andrew, ✓
Easton Dennis,		Enfor George,
Elwood John, <i>tried, convicted and pardoned.</i>		Eddy Charles,
Edwards Joseph, <i>surrendered and discharged.</i>		Eddy Thomas,
		Erwin Edward,
Fouts Christian,		Fields Daniel,
Ferguson Hugh Henry,		Fields Gilbert,
Fisher Coleman,		Furner Morris,
Fisher James, <i>surrendered and discharged.</i>		Furner Edward,
Fegen Lawrence,		Falkenstine Jacob,
Fell William,		Fleming Law,
Featherly Thomas,		Fox John,
Falkenstone Abraham,		Fairlamb Samuel,
Furfuer Andrew,		Fincher Benjamin,
Fields George,		Fox Joseph,
Galloway Joseph,		Griffith Evan,
Garrigues Samuel, the elder, <i>tried and acquitted.</i>		Green Isaac, junr.
		Gibbs Benjamin, <i>surrendered and discharged.</i>
Gregson James, do.		Gorman Enoch, do.
Gregory David,		Girty Simon, ✓
Gelmore James,		Green Thomas,
Gosling John, <i>surrendered and discharged.</i>		Gibson Edward,

Good George,	Gorman James, <i>surrendered and discharged.</i>
Griffel Edward, <i>surrendered and discharged.</i>	Greswold Joseph,
Gill Joseph,	Gordon Thomas,
Gordon Henry,	Givin Hugh,
Hicks Gilbert,	Howell John,
Hook Christian,	Hendrickson Jeremiah,
Hanlon Edward,	Harvey John,
Hovendon Richard,	Hill Henry,
Holder John, <i>tried and acquitted.</i>	Hains Caleb,
Holder Jacob,	Hart Samuel,
Holder George,	Hartnet James, <i>tried and acquitted.</i>
Holtzinger Ingelhart,	Henry William,
Humphreys James, <i>senr. surrendered and discharged.</i>	Hardy Peter,
Hart John, do.	Hughes Uriah, <i>surrendered and discharged.</i>
Hart Chamless do.	Hutchinson Isaac,
Howard Peter do.	Hutchinson Thomas,
Hatthe Andrew, <i>tried and acquitted.</i>	Hutchinson Marmaduke
Huntsman John,	Hare Jacob,
Hurst Timothy,	Hare Michael,
Hales John,	Hill Patrick,
Henderon John,	Hutchinson John,
Hill John, <i>surrendered and discharged.</i>	Harvey Samuel,
Iredale Robert, <i>junr.</i>	Houfecker Nicholas,
Iredale Thomas,	Hughes Thomas,
James Jacob,	Humphries James, <i>jur.</i>
James Abel, <i>surrendered and discharged.</i>	Jones David, <i>surrendered.</i>
Johnston John,	Iredale Abraham,
Irwin Dunning,	Irwin Alexander,
Jefferies Samuel, <i>surrendered and discharged.</i>	Inglis James,
Jounkin Henry,	Jones Edward,
James Benjamin,	Jones Jonathan,
	Jones Jesse,
	Jones Daniel,
	Jones Holton,
	Jones Hugh,

Ink John,	Janes Daniel,
Irwin Francis,	Jackson John.
Keen Reynold, <i>Pardon-</i>	Kennett Levy,
<i>ed by act of Assembly.</i>	Kennedy William,
Kucker Ludwick, <i>surren-</i>	Kissack Robert,
<i>dered and discharged.</i>	Kilby Lawrence,
Knight Joshua,	Kennard Joseph,
Knight John,	King Joseph,
Knight Isaac, <i>surrender-</i>	Kesselmun Frederick, <i>surrendered and discharged.</i>
<i>ed and discharged.</i>	Knapper George,
Koster Samuel,	Kearsley John,
Koster John,	Kennard Joseph.
Knight Nicholas,	
Leveisly Thomas, <i>surrendered and discharged.</i>	Lindon Hugh,
Love William,	Lindy Uriah,
Lisle Henry, <i>surrendered and discharged.</i>	Long Abraham,
Lisle John, <i>surrendered and discharged.</i>	Lawson James,
Lisle Robert, <i>surrendered and discharged.</i>	Loughborough John,
Lewis Curtis,	Land Robert,
Loofley Robert,	Land John,
Miller Peter, <i>tried and acquitted.</i>	Lightfoot Thomas, <i>surrendered and discharged.</i>
Marchenton Phillip,	Lindsay Samuel,
Moland William, <i>surrendered.</i>	Millson John,
Mc. Hugh Matthew <i>surrendered and discharged.</i>	Madock William,
Mc. Collough Kenneth	Malin James, <i>surrendered and discharged.</i>
Meng Melchoir, <i>surrendered and discharged.</i>	Miller Benjamin, <i>do.</i>
Meng Jacob, <i>tried and acquitted.</i>	Mc. Clarin James,
Mc. Mutrie William. <i>surrendered and discharged.</i>	Maris David,
Morris William,	Morgan Moses,
	Marr Lawrence,
	Mc. Michael Edward,
	Mc. Cart John,
	Mc. Kee Alexander,
	Marshall William, <i>surrendered and discharged.</i>

Myaer Jacob, <i>surrendered and discharged.</i>	Morris Enoch,
Moran Charles,	Masee Henry, <i>surrendered and discharged by the name of Henry Maag.</i>
Michenor Isaac,	Mc. Neal Dominick,
Mc. Mullan James,	Mackinett John,
Martin Thomas,	Mackness Thomas,
Moulder John,	Meredith John,
Malin Joseph, <i>surrendered and discharged.</i>	Mc. Donald Alexander,
Malin Elisha, <i>Pardoned.</i>	Mc. Hensie Kenneth,
Mufgrove John,	Mc. Pherfon William,
Nixon Robert,	
Oswalt Henry,	O Kain Darby,
O Kain Hugh,	Overholt John,
Potts John,	Price Peter,
Pugh James,	Poor John, <i>tried and acquitted.</i>
Pugh Hugh,	Park Abijah,
Price William,	Proctor Joshua,
Parrock John,	Proctor Joshua,
Potts David, <i>surrendered and discharged.</i>	Palmer Richard, <i>surrendered and discharge d,</i>
Pastorious Abraham,	Perlie Peter,
Parker John,	Patterfon John, <i>surrendered and discharged,</i>
Pyle Caleb, <i>surrendered and discharged,</i>	Piles William,
Pike John, <i>do.</i>	Proctor Joshua,
Palmer John, <i>do.</i>	
Rankin James,	Romigh Jacob,
Roberts John,	Rodgers John,
Rankin John,	Rickey Alexander,
Roberts Owen,	Register Daniel, <i>surrendered and discharged,</i>
Reine George,	Rymel John,
Reine John,	Rofs William,
Rofs Malcom,	Ruffel Matthew,
Roker Thomas,	Rhoden William,
Riddle James, <i>surrendered and discharged.</i>	Roberts Nathan,
Robefon Peter, <i>do.</i>	Robefon John,

Robeson Jonathan, junr. Rundle Daniel *surrender-*
 Roberts John, (Labour- *ed and discharged.*
 er.) Reid John,
 Roberts John, (Smith) Ross Alexander,
 Richardson Jacob *surrendered and discharged.*

Story Enoch,	Spangler George,
Stephenson James,	Saur Peter,
Smith John,	Styer Stephen, <i>surrender-</i>
Skyles Henry,	<i>ed and discharged.</i>
Swanwick John,	Skelton William,
Sutton Joseph,	Stackhouse John,
Sanderfon Francis, <i>surrendered and discharged.</i>	Stackhouse John,
Sproat David,	Swift Joseph,
Story Thomas, <i>surrendered and discharged.</i>	Stroud William, <i>surrendered and discharged.</i>
Stephens James, <i>tried and acquitted.</i>	Supplee John, <i>do, ignorant bill.</i>
Stedman Charles, junr.	Smith William, <i>do.</i>
Shepherd John,	Spering John,
Sutter Peter, <i>surrendered and discharged.</i>	Stackhouse John,
Saur Christopher junr.	Stackhouse Robert,
Saur Christopher, senr.	Snyder Peter,
Shoemaker Joseph, <i>surrendered and discharged.</i>	Smith Alexander,
Supplee Enoch,	Smith William Drewett,
Styger Stephen, <i>surrendered and discharged.</i>	Stedman Alexander,
Stiles Edward, <i>do.</i>	Silkod Thomas,
Swanwick Richard,	Shaw Johnathan,
Skyles Henry,	Smith Andrew <i>surrendered and discharged.</i>
Smither James,	Stillwell John,
Stanbury Joseph, <i>surrendered and discharged.</i>	Stualks Henry,
Thomas Arthur,	Stringer Henry,
Thomas Joseph,	Sinclair George,
Thomas William,	Simpson William,
	Shoemaker Samuel,
	Talbot John,
	Trego Jacob,
	Thomson Joshua,

Thomas Joshua,
Tittly Benjamin,
Town Benjamin,
Taylor William,
Taylor William,
Tolly John,
Thomson David,
Taylor John,

Taylor John,
Thomas Arthur,
Todd Cortland,
Taylor Isacc,
Talbert James,
Thomas Evans,
Turner John.

Vernon Nathaniel,
Vernon Nathaniel, junr.
Verner Frederick,
Vernon Gideon,

Vernor Elias,
Vaughan John,
Voght Christian.

Walton Albinson,
Willet Walter,
Wilson John,
Witman Michael,
Wharton Carpenter,
Wharton Isaac,
Wessling Henry,
Williams William,
William Ephraim,
Wilson Christopher,
Worral Isaiah,
Wood Moses,
Willis William,
Willis Richard,
Wilson John,

White Robert,
Warrel James,
Wright William,
Weston Richard,
Weitner George,
Wertman Philip George,
Williams Daniel,
Walker Isaac,
Warder John,
Waln James,
Worthington Joseph,
West William junr.
Wright John,
Wright Jonathan,

Young John,
Yeldall Anthony,
York Thomas,

Young David,
Yeldall Anthony,

Secretary's Office, Lancaster,

September 18th. 1802.

I DO CERTIFY to all whom it may concern, that the foregoing is a true copy of the Original, remaining on file, in the said Office—Witness my hand, and seal the day and year aforesaid.

T. M. THOMPSON. SEC.



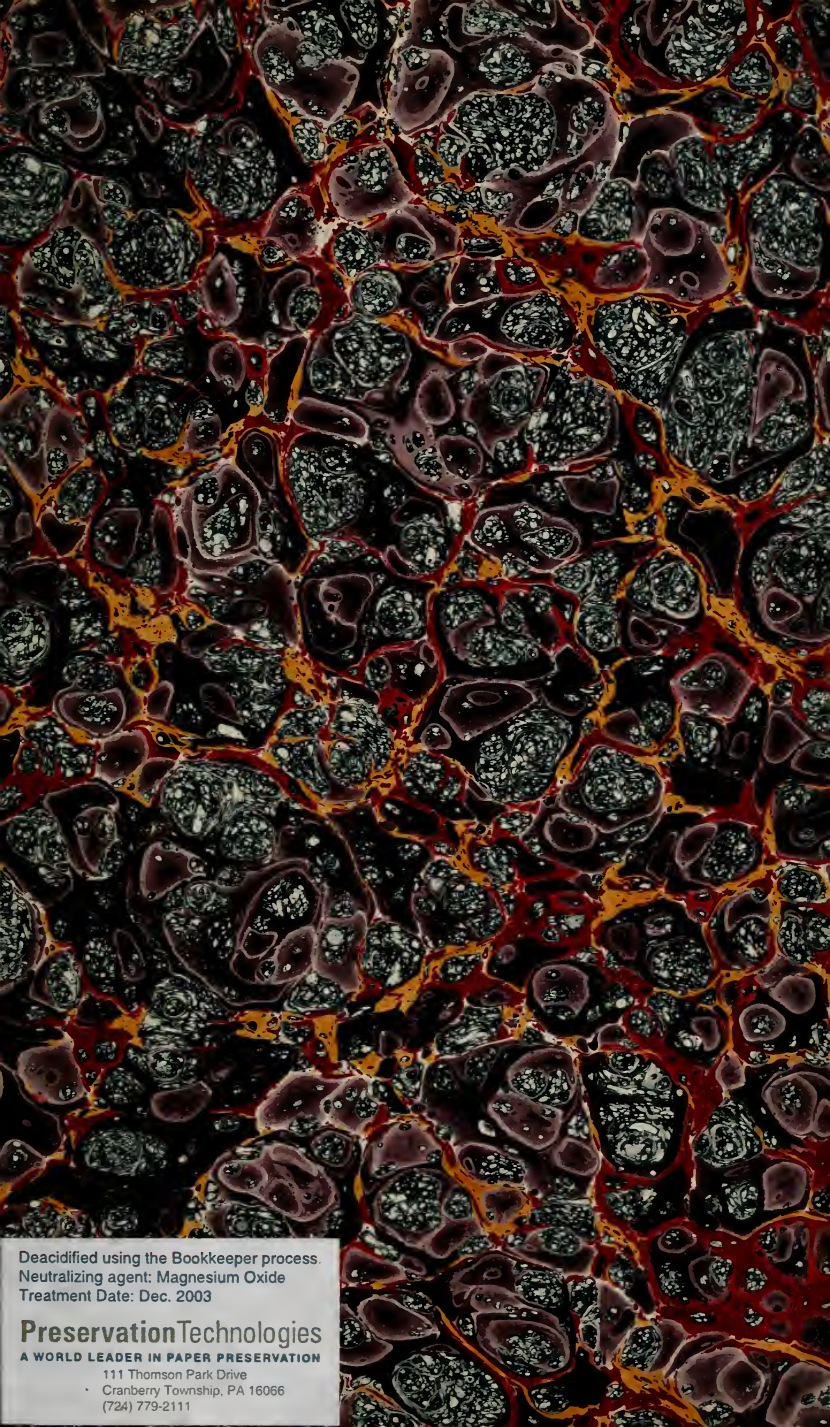












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